

FIGHTS VERY HARD, BUT GAINS LITTLE

Colonel Stewart Struggles in Vain
for Permission to Summon
Witnesses.

LONG HAD HEART DISEASE

Has Suffered from This Trouble
for the Past Thirty-Five
Years.

WASHINGTON, D. C., October 8.—For almost four hours to-day Colonel William F. Stewart, of the army, struggled, but in vain, with the retiring board, before which he has been ordered, to obtain permission to summon witnesses to prove that he is not incapacitated for army service and that therefore he should not be arbitrarily retired.

After the verbal testimony of Colonel W. H. Arthur and Major Guy L. Edie, of the Medical Corps, who are members of the retiring board, Colonel Stewart preferred his request for the summoning of other witnesses. He gave the names of thirteen witnesses whom he desired to have called, and when he failed to obtain the board's permission his attorney requested that the board itself would take the stand in support of his plea that he is capable of performing the duties of colonel in the coast artillery.

Heart Disease for Years.
When the board convened, J. W. Latimer, counsel for Colonel Stewart, proceeded to cross-examine Colonel Arthur and Major Edie regarding their report as the medical experts of the board on the condition of Colonel Stewart's health. Both stated that Colonel Stewart is afflicted with heart disease, such as an extension of any extension might result disastrously to him. The fact was brought out that Mr. Stewart has been a victim of heart disease for the past thirty-five years, and reference was made to a document on file in the War Department showing that as early as 1877 he had requested to be excused from participation in an Indian expedition because of an affliction of the heart and rheumatism. Both of the medical experts refused to make statements bearing upon Colonel Stewart's previous condition.

Both surgeons said that so long as Colonel Stewart's present condition continued he would be fairly comfortable, but much would depend upon the exertion he might be subjected to. After the army surgeon had left the stand Mr. Latimer asked permission to show by the records that during the past twenty-five years the colonel had been almost continuously on duty. Recorder Howard said that he was willing to admit that Colonel Stewart had performed all the duties assigned to him, and had very seldom requested leave of absence. He made the point that showing facts of the kind contemplated could not have any bearing upon the patients' condition, but that of health, and the board sustained his objection.

Only Has One Witness.
Colonel Stewart's attorney presented a list of thirteen witnesses, all but one of whom are fellow-officers, medical and otherwise, of the colonel, and asked to have all of them summoned. The board separately refused the requests except one, the exception being Spriggs, a civilian physician, residing in this city, who yesterday made an examination of Colonel Stewart's heart.

In Dr. Spriggs's case, the board announced its willingness to hear him, but it was stated that he would not be summoned by the board. Two of the witnesses whom Colonel Stewart asked to have ordered to Washington were Lieut. R. M. Barton, of the Fifth Cavalry, and Charles C. Case, of the same regiment, both of whom took home-back rides with Colonel Stewart last September. Mr. Latimer said that both would testify that his client had shown no ill effect from these rides.

Mr. Latimer made a request that Colonel Stewart should be permitted to make the ninety-mile ride required by military authorities and to follow it with the walk which is required as an alternate for the ride, but the request was denied. The board will meet again tomorrow.

Americans Killed in Philippines.
MANILA, October 8.—Charles H. Tiedt, an American, and Vicente Tiedt and Juan Tiedt, Spaniards, were killed last Wednesday near Iba, in the province of Pangasinan, by a party of Filipinos. The men were murdered with Bolos and their bodies mutilated.

**PLAY HANDS OFF;
LET FIGHT GO ON**
(Continued From First Page.)

constitutional limitations, and denounces the methods and practices of the dominant party. The speaker emphasized the fact that the party is the champion of woman suffrage, not a woman was present. The meeting was held behind closed doors.

KERN HAS QUIET DAY

Visits Country Home of His Youth.

(Special to The Times-Dispatch.)

ROANOKE, VA., October 8.—Hon. John W. Kern spent to-day, the first quiet, restful day for several weeks. This morning he walked about the city renewing acquaintances with his old friends, and at 1:15 he left for his home at Carvins Cove. There were small crowds at Hollins and Cloverdale, Va., which he left for several weeks. At Cloverdale he was met by a team from the country home, and spent the night there.

A number of neighbors called on him, but he had planned to retire.

**"BABY
MINE"**

Becoming a mother should be a source of joy, but the suffering incident to the ordeal makes its anticipation one of dread. **MOTHER'S FRIEND** is the only remedy which relieves women of much of the pain of maternity; this hour, dreaded as woman's severest trial, is not only made less painful, but danger is avoided by its use. Those who use this remedy are no longer despondent or gloomy; nervousness, nausea and other distressing conditions are overcome, and the system is prepared for the coming event. "It is worth its weight in gold," says many who have used it. \$1.00 per bottle at drug stores. Book of value to all expectant mothers mailed free.

THE BRADFIELD REGULATOR CO.
Atlanta, Ga.

"Berry's for Clothes"

Our garments are all wool
and a yard wide.

QUALITY PAYS SERVICE

Quality pays service—whether you buy clothes, groceries, or automobiles.

A Suit or O'coat bearing the Berry label possesses, besides its all-wool virtue, the style and finish of garments costing \$80 to \$75 at a tailor's!

\$12.80 to \$35 here.

Come and see.

O.H. Berry & Co.
MEN & BOYS' SUIT FITTERS

early. He will go to Fincastle tomorrow, where he will make a speech at the fair. The Times-Dispatch correspondent is stated to-day that the prospects are bright in all the doubtful States, and he was confident that the democratic ticket would win in November.

REPLIES TO HEARST

FINCATTLE, VA., October 8.—J. W. Kern, after reading the published attack upon him by W. R. Hearst in a recent speech in Los Angeles, Cal., gave out a statement in which he said that he had repeatedly stated the facts about his employment by the Big Four Railroad in connection with certain damage suits, which employment, he said, could be understood by any fair-minded man. Concerning his connection with the French Lick Springs Hotel Company, he said that with other counsel he was employed to defend suits involving forfeiture of certificates and the appointment of a receiver, and that he and his associates served the corporations as he would have served any other client. Similar service was rendered at the same time to the West Baden Springs Company, with which Thomas Taggart had no connection. As to his nomination, Mr. Kern says:

"It is a well known fact that I did not want the nomination, and so declared at Denver. However, after the convention had given me the nomination by unanimous vote, the idea that I would insult the men who had thus honored me by saying that I owed the nomination to Mr. Taggart is so preposterous as to need no denial. My record in all official positions I have ever occupied is open to inspection. I am willing to stand by that record. The street railroad franchise of Indianapolis provides for 4-cent fares and universal transfers and has resulted in giving Indianapolis the best service of any city in the country."

WANT WIRES ON POLES

Compromise in Ashland Overhead Wire Question Is Proposed.

(Special to The Times-Dispatch.)
ASHLAND, Va., October 8.—At a meeting of the Town Council to-night an ordinance was introduced giving the Western Virginia Telegraph Company the right to place a line of poles along James Street within the town limits. It was referred to the Ordinance Committee for investigation and report. Representatives of the company were present for the purpose of giving information concerning the proposed line. A committee from the Business Men's Association was on hand with a resolution passed by that body in objection to the proposed line. The resolution was read and referred to the same committee.

The telegraph, telephone and electric light companies might agree and use one of their sets of poles. It is possible that the latter plan may be agreed upon.

STEPHEN A. DOUGLAS DIES

AFTER VERY BRIEF ILLNESS

CHICAGO, October 8.—Stephen A. Douglas, son and namesake of the great presidential rival of Abraham Lincoln, died suddenly at his home here to-night. Yesterday Mr. Douglas, with William H. Taft, delivered the anniversary of the famous Lincoln and Douglas debate at that place. He had been ill for several days, and died at his family to-night, dying before the arrival of a physician. Mr. Douglas was eighty-two years old. He was born in North Carolina, but had been a resident of Chicago for thirty-five years. He was an attorney.

Treaty with China Signed

WASHINGTON, October 8.—The proposed arbitration treaty between China and the United States was signed at the State Department to-day.

Dr. Wu Ting Fang, the Chinese minister, acting on behalf of China, and Secretary Root on behalf of the American government.

Fleet to Sail Saturday

MANILA, October 8.—Zear Admiral Sperry has postponed the time of the departure of the Atlantic fleet for Japan until 8 o'clock Saturday morning.

Moh Leader Not Guilty

SPRINGFIELD, Ill., October 8.—After sixteen hours' deliberation, the jury in the case of Abraham Raymer, alleged mob leader, charged with destruction of property during the recent riots, returned a verdict of not guilty this afternoon.

CONDITIONS IN IMPORTANT CITIES

(At 8 P. M., Eastern Standard Time.)
Place. Ther. H.T. Weather.
Ashville. 56 66 Rain
Augusta. 56 66 Rain
Pittsburg. 56 66 Cloudy
Norfolk. 56 72 Rain
Tampa. 72 82 Cloudy
Washington. 62 74 Cloudy
Wilmington. 66 76 Rain
Yellowstone. 56 64 Clear

MINIATURE ALMANAC

October 8, 1908.
Sun rises. 6:12
Sun sets. 6:12
Moon rises. 6:12
Moon sets. 4:17

THE WEATHER

Forecast: Virginia—Rain Friday; clear and cool Saturday; brisk to high northeast winds.
North Carolina—Rain and cooler Friday; high north winds; Saturday fair.

NOT A SPELLBINDER

Burr McIntosh Says His Lecture Here Is Not Boast for Taft.

Though Burr McIntosh, who is scheduled to lecture at the Academy of Music on Wednesday night next on the subject, "With Secretary Taft in the Orient," denies that he is being sent out by the National Republican Committee as a campaign spellbinder, Democrats here believe that the general purpose of the address is to help boost the Republican cause. "The committee is connected with the campaign," says Mr. McIntosh. "Is responsible for me in anything I have to say. I am a very sincere admirer of Mr. Taft, because I have had a pretty good opportunity to appreciate his qualities. My lecture is designed to give a fair and accurate picture of the man. I simply saw the conditions when in the islands three years ago, and believe that the people of the United States would be very greatly benefited if they were to know the facts as they exist today."

Mr. McIntosh has rented the Academy by his lonesome, and it is argued by local Democrats that if he speaks for Taft and Sherman he will have to do it at so much per head.

PILES CURED IN 4 TO 14 DAYS.
PAZO OINTMENT is guaranteed to cure any case of Itching, Blind, Bleeding, Piles, in 4 to 14 days, or money refunded. 50c.

TENTH MATRON STAKES ATTRACTS SMALL FIELD

Maskette and Affliction Only Starters for Rich Purse
Event and Race Was Walk-Over for Farmer—Other
Winners, Statesman, Jimmy Lane, Cressina,
Fashion Plate and Gowan.

BELMONT PARK RACE TRACK, N. Y., October 8.—The tenth Matron Stakes, with a value of \$3,350, resulted today in a practical walk-over for the Keene entry at Belmont Park. Maskette and Affliction were the only starters, and galloped over the six-furlong course in 1:12.3 and 1:12.4.
First race—handicap, two-year-olds, six furlongs—Statesman, first; Footpad, second; Royal Captive, third. Time, 1:12.3.
Second race—steepchase, four-year-olds and upward, selling, about three miles—Jimmy Lane, first; Yarn, second; Agent, third. Time, 6:10.
Third race—the tenth Matron Stakes, six furlongs—Maskette, first; Affliction, second. Time, 1:12.4.
Fourth race—the New Rochelle Stakes, three-year-olds and upward, selling, one mile, main course—Cressina, first; Aracoe, second; Black Mary, third. Time, 3:25.
Fifth race—high weight handicap, all ages, six and a half furlongs—Fashion Plate, first; Star Gowan, second; Brookdale Nyman, third. Time, 1:44.
Sixth race—three-year-olds, one mile and a half—Gowan, first; Milford, second; Corn Cob, third. Time, 2:33.

W. & L. READY FOR GAME

(Special to The Times-Dispatch.)
LEXINGTON, VA., October 8.—Washington and Lee football team left tonight for Newport News, where Saturday they will play the University of North Carolina. The team is in fine condition and will put up a stiff game.

AMERICAN LEAGUE

WASHINGTON, D. C., October 8.—The American League season here to-day with a victory, defeating New York 7 to 5. Both sides took things easy and errors were frequent.
Score by Innings: R. H. E.
Washington. 3 0 1 0 1 0 2 7 11 4
New York. 0 0 0 0 0 0 0 0 0 0 0
Batteries: Gentry and Street; Lake and Blair. Time, 1:30. Umpire, Evans.

FRAUD AND FORCE TO RETAIN POWER

(Continued From First Page.)

court circle blurt it out that Taft is expected to hold down the job for Roosevelt, since it was thought premature to run Roosevelt for the immediate succession?

"The citizenry was, and is, a familiar fact. If the machine that nominated Taft was so merciless toward the Republican allies, why should it be so lenient toward Roosevelt? Only this account for the personal interposition of the President, who throws duty and dignity to the winds and gets down like a madman into the bill ring, mud-stained and powdered, swearing like a trooper at all who come within the sound of his voice and the eyes of his inflamed fancy."

FIRE NEAR THE WHITE

Caldwell Hotel, a Frame Structure, Is Quickly Consumed.

(Special to The Times-Dispatch.)
WHITE SULPHUR SPRINGS, W. Va., October 8.—The main building of the Caldwell Hotel, a frame structure, was destroyed today by fire, which broke out at about 10 o'clock. The place is situated one mile east of the White Sulphur. The origin of the fire is not known, but the loss will reach several thousand dollars.

TOBACCO PEOPLE MEET HERE TO-DAY

National Association to Begin Two-Day Session at Jefferson Hotel.

Tobacco dealers and manufacturers of the United States will open their eighth annual convention in the auditorium of the Jefferson Hotel to-day at 10 o'clock, with an attendance representing all sections of this country where tobacco is raised and handled. Recognizing Richmond as the natural home of the trade, the acceptance of the invitation to hold the convention here will be a response to the largest number of members in the association are located, was unanimous. The president of the association is Mr. T. Carrington, and the secretary, Mr. John C. Morgan, both of this city.

Big Nations to Agree

PARIS, October 8.—The convention is general here that Great Britain, France and Russia can agree upon a program for a conference on the Balkan situation and will henceforth march shoulder to shoulder. A government communiqué issued this evening says that the foreign minister, has formulated a tentative program, which M. Iswolsky will submit to Premier Asquith and Sir Edward Grey. The British foreign secretary and French premier have agreed to an agreement will be reached by the powers.

Oath of Loyalty to Greece

CANADA, ISLAND OF CRETE, October 8.—The eight-year-old Greek government took an oath of loyalty to Greece this afternoon, as did also the officers of the gendarmerie and the militia.

The consular body protested in principle against the denaturation of union, but will confine itself to submitting the matter to the four protecting powers—Great Britain, Russia, France and Italy.

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OLD NEGRO LOSES EAR,

BUT SAVES HIS LIQUOR

Fell While Attempting to Board City Street Car, and Wheel Clipped It Like a Razor.

In an attempt to board City Street car No. 208, eastbound, H. R. Jeter, colored, last night fell beneath the wheels and had one of his ears ground off.
Henry had been at the fair, where he had "liquored up" judging from a half-filled bottle found in his pocket. The bottle was recovered unbroken, and there was great joy in Henry's heart that he had lost only an aural appendage and not the flask. The accident happened at Hancock and Clay Streets. The old negro was taken to the Virginia Hospital, where it was said last night that he would recover rapidly, but that his personal appearance would be somewhat marred. But Henry did not seem to grieve about the disfigurement. He still has his bottle left, and in its contents he found a world of hope and encouragement. The other ear is still good, for it picked up when the old negro was informed that his dram was safe.

Safes and Vaults

Fireproof Safes, Burglar-Proof Safes, House Safes, Steel Vaults and Vault Doors. The only insurance on your books and valuables in home or business is a standard SAFE. Better to have a safe and NOT need it than need a safe and not HAVE it.

Would be pleased to WELCOME YOU at our show-rooms and factory.

R. L. Barnes Safe and Lock Company, Inc.

General Offices: 11-13-15 North Fourteenth Street.

News Gathered from Southside

property of the city), in which the distillery proposed to open.
The question was brought up at a special meeting several weeks ago, but was deferred until the meeting to-night.
Personals and Briefs.
Mrs. Moore, widow of Charles Moore, formerly of this city, died at the home of her daughter, Mrs. Goode, in Chesapeake county, yesterday. The body will reach Manchester over the Southern Railway to-day. The burial will be made in Maury Cemetery.
Norman Ely, of No. 826 Stockton Street, has been operated on at the Virginia Hospital. He is reported to be doing nicely, and it is expected that he may soon return home.

DEATHS

ROANOKE, VA., October 8.—Mr. E. A. Beard, of Vinton, died suddenly yesterday afternoon from paralysis, aged forty-six years. He is survived by a wife.
The body of Mrs. Sam Young, who died in Richmond, was brought here Thursday morning on Chesapeake and Ohio train No. 19 and interred in Maplewood Cemetery at 2 o'clock in the afternoon. The funeral services were conducted in the Disciples' Church by the pastor, Rev. G. L. Lowell, assisted by Rev. Mr. Fleming, of Charlottesville.
[Special to The Times-Dispatch.]
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FUNERAL NOTICES

WOOD.—The funeral of RICHARD THOMAS WOOD, the infant and only son of Richard Henry Wood and Rosabelle Thomas Wood, who died October 8th, aged nine months, will take place from the residence, 112 West Clay Street, at 3 P. M. TO-DAY. Interment will be in Hollywood.

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The Kind You Have Always Bought

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(Washington, D. C.)

but when you consider it, is not the one big, vital fact—our financial strength—sufficient evidence that your money with us is absolutely safe and fully protected? We invite your account, whether large or small.

Our facilities for handling all classes of accounts are unsurpassed. 3 per cent. interest paid on savings accounts from date of deposit.

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